

**LOCAL AGENCY FORMATION COMMISSION  
COUNTY OF SAN BERNARDINO**

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**DATE: SEPTEMBER 10, 2007**

**FROM: SAMUEL MARTINEZ, LAFCO Analyst**

**TO: LOCAL AGENCY FORMATION COMMISSION**

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**SUBJECT: Agenda Item #9a: Consideration of Notice of Intent to Adopt Negative Declaration for LAFCO 3000, 3000A and 3001**

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**RECOMMENDATION:**

Staff recommends that the Commission make the following determinations with respect to the environmental review for LAFCO 3000, 3000A, and 3001:

- a) Certify that the Commission and its staff have reviewed and considered the environmental assessment and Negative Declaration prepared by the Commission's Environmental Consultant, Tom Dodson and Associates; it has reviewed, considered, and responded to any comments received;
- b) Adopt the Negative Declaration prepared for these projects;
- c) Find and determine that the Commission does not intend to adopt alternatives or mitigation measures for these projects;
- d) Find and determine that there are no biological resources that will be impacted through approval of these projects; and,
- e) Direct the Clerk to file a Notice of Determination, together with the signed "No Effect Determination Form" from the California Department of Fish and Game, within five (5) days.

**BACKGROUND:**

The Commission is the lead agency for review of the potential environmental consequences on the three (3) proposals related to the overall County Fire Reorganization - LAFCO 3000 (Reorganization), LAFCO 3000A (Fontana Alternative),

and LAFCO 3001 (Sphere of Influence Expansion). In order to fulfill that requirement, the Commission's Environmental Consultant, Tom Dodson and Associates, prepared, and LAFCO staff reviewed, advertised and circulated an Initial Study and a proposed Negative Declaration for this proposal pursuant to the requirements of the California Environmental Quality Act (CEQA).

## **ENVIRONMENTAL CONSIDERATIONS**

The Initial Study and the proposed Negative Declaration (included as part of Attachment #1 to this report), as well as the Notice of Intent to Adopt a Negative Declaration, were circulated to all interested and affected agencies on July 31, 2007. The said documents were also posted on the LAFCO website on the same date.

In addition, the Notice of Availability was also advertised on July 31, 2007 in *The Sun*, the *Fontana Herald News*, *The Alpenhorn News*, the *Mountaineer Progress*, the *Mountain News*, the *Crestline Courier-News*, the *Leader* (Lucerne Valley), the *Parker Pioneer*, the *Needles Desert Star*, the *Hi-Desert Star*, the *Big Bear Grizzly*, the *Today's News-Herald*, the *Inland Valley Daily Bulletin*, the *Desert Dispatch*, and the *Daily Press* - newspapers of general circulation countywide and available in specific communities within the County.

In accordance with Section 15073(a) of the CEQA Guidelines, the public review period for the proposed Negative Declaration closed on August 21, 2007. At the close of the review period, three comment letters were received from the following agencies/individuals:

- San Bernardino County Department of Environmental Health Services
- City of Chino Hills
- Mr. Edward Reilly

The comments received through the circulation of the materials have been evaluated by the Commission's Environmental Consultant and a response to comments has been prepared (included as part of Attachment #1 to this report). The response to comments has also been forwarded to each of these agencies/individuals. As of the date of this report, no other comments have been submitted related to the Initial Study and the proposed Negative Declaration. Therefore, the original Initial Study will be utilized as the description of environmental impacts anticipated by these three proposals: LAFCO 3000, 3000A, and 3001. Since no mitigation measures are required for these three projects, a Mitigation Monitoring and Reporting Program (MMRP) is not required to be part of this final Negative Declaration.

Due to recent changes in the California Department of Fish and Game's (DFG) procedure for filing a Negative Declaration on projects with no impacts on biological resources, the Commission's Environmental Consultant prepared the DFG's "No Effect Determination" form and forwarded it to DFG for their review, concurrence and

approval. The form, which has been signed by a representative of the DFG, was received on September 7, 2007, and is included as Attachment #2 to this report.

## **CONCLUSION**

The Response to Comments and the original Initial Study constitutes the final Negative Declaration package that will be used by the Commission to consider the environmental effects of implementing the proposed projects. Prior to making a decision on LAFCO 3000, 3000A, and 3001, the Commission must first consider and approve the proposed Negative Declaration. The Negative Declaration indicates that the approval of all three proposals will not have a significant effect on the environment. Therefore, the necessary environmental actions required of the Commission, as the lead agency under CEQA, include the following:

- a) Certify that the Commission and its staff have reviewed and considered the environmental assessment and Negative Declaration prepared by the Commission's Environmental Consultant, Tom Dodson and Associates; it has reviewed, considered, and responded to any comments received;
- b) Adopt the Negative Declaration prepared for these projects;
- c) Find and determine that the Commission does not intend to adopt alternatives or mitigation measures for these projects;
- d) Find and determine that there are no biological resources that will be impacted by approval of these projects; and,
- e) Direct the Clerk to file a Notice of Determination with the "No Effect Determination Form" that has been signed by the California Department of Fish and Game within five (5) days.

Upon approval of the environmental determination for these projects, the Commission can move forward to the actual review of the proposals.

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Attachments:

1. [Letter from Tom Dodson and Associates, Response to Comments Including the Initial Study](#)
2. [No Effect Determination Form Signed by the California Department of Fish and Game](#)
3. [Negative Declaration](#)